

1965  
Feb. 17

[ZEKIA P., VASSILIADES, TRIANTAFYLLIDES, MUNIR AND  
JOSEPHIDES J.J.]

IN THE  
MATTER OF  
SECTION 17  
OF THE  
ADVOCATES  
LAW, CAP. 2,  
(AS AMENDED)  
*and*  
IN THE MATTER  
OF A. B.  
AND X. Y.,  
ADVOCATES

IN THE MATTER OF SECTION 17 OF THE ADVOCATES  
LAW, CAP. 2. (AS AMENDED)

*and*

IN THE MATTER OF A.B. AND X.Y., ADVOCATES.

*Advocate—Unprofessional conduct—Breach of professional etiquette—Advertising and publicity—Causing or permitting publication—Enquiry by the Disciplinary Board under section 17 (3) of the Advocates Law, Cap. 2 (as amended).*

*Supreme Court—Powers of review under section 17 (5) of the Advocates Law, Cap. 2.*

*The Charge :* The Disciplinary Board, in exercise of the powers conferred on it under the provisions of section 17 (3) of the Advocates Law, Cap. 2, (as amended), called upon the following advocates to appear before it on the 29th January, 1965, to answer a charge for unprofessional conduct as follows :

- (1) Advocate A.B., for causing or permitting publications to be published in the local newspapers («'Αγών» of the . . . . 1964, and «Νίκη» and «'Αγών» of the . . . . ., 1964) in connection with actions instituted by him ;
- (2) Advocate X.Y., for causing or permitting publications to be published in the local newspapers («'Αγών» of the . . . , 1964, and «Πατρίς», «Φιλελεύθερος» and «Μάχη» of the . . . . ., 1965) concerning cases brought by him before the Court.

**THE ENQUIRY AND THE DECISION OF THE DISCIPLINARY BOARD :** On the 29th January, 1965, the said Advocates A.B. and X.Y. appeared before the Disciplinary Board in compliance with section 17(3) of the Advocates Law, Cap. 2, to answer the above charges. The Disciplinary Board after hearing the said advocates and considering the charges decided to administer a warning to each advocate. The Decision of the Board as communicated to the Supreme Court by the Attorney-General

of the Republic, President of the Disciplinary Board, under the provisions of section 17 (3)(b) (*ibid.*, *supra*) is to the following effect :—

“ Both advocates frankly admitted the charge and expressed their sorrow for what it happened and they promised that such an act will not be repeated in future.

Particularly A.B. stated that the information to the press was not given by him but apparently by his clerk who is related to a press photographer.

Advocate X.Y. made no secret that such information was given by him because he thought that there were legal points in which the public might be interested. When it was pointed out to him that even so there was no need for his name to appear so prominently in the publications he admitted that that was wrong, expressed his sorrow and promised that a similar thing will not take place in future.

In the course of the proceedings it cropped up that it would be desirable that the Bar Council may issue Rules of Etiquette under section 24 (1) (i) of the Advocates Law, Cap. 2. especially in view of the fact that advocates in Cyprus had taken their training under different legal systems.

It was pointed out that such a course might be desirable though the offence with which the Board was dealing entailed the same consequences almost in all legal systems. including countries, such as England, the United States of America, France and Greece. Particularly with regard to the latter reference was made to three decisions of the Disciplinary Board there and a circular of the Greek Bar Council issued in consequence thereof.

The Board taking all the circumstances into consideration and viewing particularly the decent way in which both advocates put forward their case thought that a warning would meet each case.”

BEFORE THE SUPREME COURT : The Supreme Court, after considering the above decision of the Disciplinary Board decided that no further action need be taken in the matter under the provisions of section 17 (5) of the Advocates Law, Cap. 2.

*Decision of the Disciplinary Board not disturbed.*

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